

Senator Lawson and Representative Spiegelman
Hartly Meeting
Minutes of February 5, 2015

Due to the fact that it was not determined that minutes should be kept until after the meeting had begun, there may be some discussion items missed, and names of all those persons commenting s was not determined.

ATTENDING

Senator Dave Lawson
KCLC Commissioner Glen Howell

Representative Jeff Spiegelman
Hartly Commissioner Ray Morris

Matt Bittel, DE State News
Kit Carson, DE Archives
Kelly Hoover
Donald A. St. Jean
Cynthia Swyka
Cathy Thompson-Moore
Philip Moore
Karen Davis
Derek Glover
Amelia Davis
James Thompson, Jr.
Amanda Hardesty
Sue Hardesty
Melissa Baldwin
Erin Wojcieszyn
Renate Brown
J. Allen Metheny, Sr.
R.H. Morris, Jr.

Jeff Brown, Dover Post
Jean Townson, DE Archives
Dan Hoover
Danica Colins
Deanna Jackson
Stephanie Moore
Christine Oldham
Roger Davis
Laurel Turner
Kareylenn Thompson
Catherine Samardza
Scott Hardesty
Justin Fenimore
Sally Wojcieszyn
Rebecca Kohart
David Brown
Mark Maguire
Suzanne K. Morris

Senator Lawson reported that, after looking into the legalities of the charter and with the help of the board of elections, Mr. Morris remains a valid council member and could appoint one additional commissioner; the two commissioners could then appoint a third, and the town could conduct business with three commissioners. This would be an interim commission, and the primary task would be to work with the Board of Elections to hold an election in April 2015. There were 7 town residents in attendance, six of whom expressed interest in running for one of the five commissioner places that would be open for election.

Representative Spiegelman reported that he was being contacted by people with no connection to Hartly, offering to help – business organizations, engineers. He said that the Town Council will have help to work on the debt, the comprehensive plan, taxes and the town charter. In fact, Robin Christiansen, the Mayor of Dover has offered his help.

Senator Lawson said he was in touch with two lawyers who would work pro bono; a Hartly resident said that his attorney had also offered help.

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It was noted that for the election of commissioners, candidates must satisfy a one-year residency requirement. For the interim commissioners, there was a simple residency requirement, no time frame.

There was discussion concerning the requirement that tax payments be up-to-date; Senator Lawson noted that if there has been no tax billing for five years, and everyone had paid their last tax bill, then tax payments would be up-to-date as of that last bill.

Mr. Carson from the Delaware Archives suggested looking into the files for previous tax information. He also suggested that Hartly follow the legal process to transfer documents to the Archives; at this time, Archives has no files on Hartly.

It was suggested that minutes of the meeting be taken; Ms. Samardza and Ms. Moore both offered to do that. Ms. Samardza also noted that the Dover/Kent County MPO, where she works, assists Kent County municipalities with their comprehensive plans.

Another attendee, Deanna Jackson, volunteered to be the Hartly contact to work with the Archives staff.

Mr. Ray Morris arrived, he appointed Suzanne Morris as commissioner. The two commissioners left the room to discuss a second appointee.

While they were gone, Senator Lawson and Representative Spiegelman led discussion on what was needed to move Hartly forward.

Volunteers for a Finance Committee came forward. The Committee task would be to assess the town debt and potential income.

Mr. Morris and Ms. Morris came back to ask for all those residents interested in serving on the Town Council to come outside to discuss the interim commissioner position. When they returned, Mr. David Brown was named third commissioner.

In addition to the Finance Committee, Archives and recording secretaries, it was noted that volunteer lawyers were available. In addition to the three lawyers noted previously, Mr. Brown stated that he knew a law student in her final semester who had also volunteered to help.

It was determined that the tasks to be addressed first are:

- 1) Election Committee (commissioners with Board of Elections)
- 2) Finance Committee (volunteers)
- 3) Archive review (DE Archive staff and volunteers)
- 4) Comprehensive Plan review (volunteers and Office of State Planning)

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It was determined that changing the Town charter could wait until after the new commissioners are elected and the Town is further along to being re-established. Mr. Brown passed around a notebook for all the volunteers to sign and provide their contact information.

Mr. Morris said he would open a new post office box account for the Town. He further reported that the town tax base does not cover the expenses of the Town. He said that the electric bill runs \$7,000 – 8,000 a year. There was discussion concerning a potential treasurer, who does not have to be a resident or one of the commissioners. It was noted that although the charter calls for the treasurer to be bonded, the last treasurer was not. The commissioners had been told by the treasurer that he and the commissioners were all bonded, but only the commissioners had been bonded. Mr. Morris noted that Hartly has the smallest tax base in the State. He asked if Levy Court or the legislators could help. Representative Spiegelman said that grants and volunteers are available – once the Town has elections and the new commissioners are in place.

It was noted that the legislators could help with sidewalks, signage and trash/clean up once there is a Town government to appeal for help.

Someone suggested soliciting donations for the tax bill; someone else suggested contacting the electric company first and seeing if they would reduce or forgive the debt.

A town fair or farmers' market was suggested. Senator Lawson suggested renting out space at the corner property; it was reported that the property, once owned by developer Michael Zimmerman, was now owned by the Onyx Group out of Pennsylvania. A local attorney is their representative in Delaware, and that person should be contacted to see about any use of the property.

Americorps grants were discussed, to find a volunteer labor force to help clean up the town. Hartly would have to provide housing, but Americorps would pay for food and travel.

The meeting was formally called to order belatedly at 7:32 PM. A sign-in sheet was passed around to all in attendance, contact information optional. Senator Lawson said that his legislative assistant would keep in touch with everyone who had given him contact information.

Those who had volunteered for the Finance Committee were asked to stay after the meeting to talk to the Interim Council members.

Someone asked what the town council actually does? It was suggested they pull up a copy of Roberts Rules of order or read the town Charter, which has explicit rules. There was discussion concerning the Town Charter; the State has a 1983 version on line that has been authenticated. There was some confusion, some individuals thought there might be another version.

Representative Spiegelman suggested those interested in town governance visit another Kent County town meeting to see how they work, to see what kind of things go on the agenda. Kenton was suggested, because the town also had problems, and is coming back.

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There was discussion concerning how to get people to come out to vote; it was noted that voters must live within town boundaries. Some individuals were concerned as to whether or not enough people would come out to vote; the general response was that there is no minimum number that must vote, and even state and national elections only get a fraction of the voting population at the polls. It was suggested that, since Hartly is so small, going door to door to remind people to come out and vote should not be a problem. In fact, the Town charter only allows for a couple of hours of voting due to the small population. In addition, the Board of Elections is ready to come out to help.

Mr. Morris said he would get a PO box for the town tomorrow. Ms. Morris said she would e-mail Ms. Samardza the Comprehensive Plan; Ms. Samardza would see that it went to David Edgell at the Office of State Planning.

MOTION By Mr. Morris to adjourn the meeting. Seconded by Mr. Brown. Motion carried.